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SUBJECT Substitute Brief (09/998,396)

Number of Pages 13

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MESSAGE

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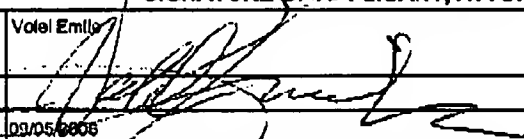
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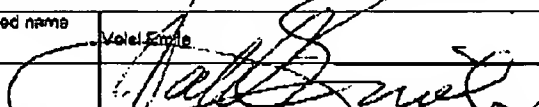
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/998,398
	Filing Date	11/19/2001
	First Named Inventor	Keohane et al.
	Art Unit	2178
	Examiner Name	Kyle R. Stork
Total Number of Pages in This Submission	Attorney Docket Number	AUS920010876U91

ENCLOSURES (Check all that apply)		
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Reply to Office Action of 08/11/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:	:
Keohane et al.	:
	: Before the Examiner:
Serial No: 09/998,396	: Kyle R. Stork
	:
Filed: 11/15/2001	: Group Art Unit: 2178
	:
Title: APPARATUS AND METHOD	: Confirmation No.: 7309
OF HIGHLIGHTING PARTS OF WEB	:
DOCUMENTS BASED ON	:
INTENDED READERS	:

SUBSTITUTE APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to a Notification of Non-Compliant Appeal Brief
received on August 11, 2006.

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BRIEF FOR APPLICANTS - APPELLANTS

(i)

Real Party in Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(ii)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(iii)

Status of Claims

Claims 1 - 20 have been finally rejected. This appeal involves all the rejected claims.

(iv)

Status of Amendment

All amendments have been entered.

(v)

Summary of Claimed Subject Matter

The Application contains four sets of claims of equal scope. The first set is a set of method claims (i.e., Claims 1 – 3, 13 and 14), the second set is a set of computer program product claims (Claims 4 – 6, 15 and 16), the third set is a set of apparatus claims (Claims 7 – 9, 17 and 18) and the fourth is a set of system claims (Claims 10 – 12, 19 and 20).

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The present invention, as claimed in Independent Claims 1, 4, 7, and 10, provides a way of highlighting parts of a Web document based on an intended reader (see page 9, lines 20 – 22). According to the teachings of the invention, when a document that has at least one section to be highlighted based on an intended reader, the document is displayed with a button. The button is associated with a section indicating the intended user. When the button is asserted, the section is highlighted (see page 11, line 5 to page 12, line 5, page 13, lines 18 – 30 as well as Figs. 5A, 5B, 5C, 5E, 5D and 6).

The code means plus function of Claims 4 – 6, 15 and 16 are the steps outlined on page 13, lines 18 - 30 as well as in Fig. 6. The means plus functions of Claims 7 – 9, 17 and 18 are the steps outlined on page 13, lines 18 - 30 as well as in Fig. 6 processed by processors 202, 204 and 302.

(vi)

Grounds of Rejection to be Reviewed on Appeal

Whether claims 1 - 20 were properly rejected under 102(a) as being anticipated by Adobe GoLive™ 5.0 User Guide.

(vii)

Arguments

In considering a Section 102 rejection, all the elements of the claimed invention must be disclosed in a single item of prior art in the form literally defined in the claim. *Jamesbury Corp. v. Litton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); *Atlas Powder Co. v. Dupont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); *American Hospital Supply v. Travenol Labs.*, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984). Russell-Falla et al., the reference used to reject the independent claims, does not disclose all the elements of the claims.

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Adobe GoLive 5.0 User Guide mainly explains how users may use certain options/features available in Adobe GoLive 5.0. For example, if a user wants to select viewing options using the View Controller in Adobe GoLive, the user is instructed to choose Window then View Controller. From View Controller there is a list of options from which the user may choose. The list goes from an option to select invisible items so that invisible items (such as line breaks etc.) may show on an open page to an option to highlight elements on the page that is formatted with a specific class or ID or a specific tag.

Thus, the Adobe GoLive 5.0 User Guide provides instructions that call for a user to go through (drop down) menus until a desired option is displayed, then and only then may the user select the option.

By contrast, the present invention contains the limitations of displaying at least one button with the document that is not only associated with a section of the document but also indicates an intended user.

Note that indicating the intended user is a rather important aspect of the invention since only one document that has different sections that are each to be reviewed by a different user is used.

Since the Adobe GoLive 5.0 User Guide does not teach the step of ***displaying at least one button with the document, the at least one button being associated with the at least one section of the document and indicating the intended user***, Applicants submit that the claims in the Application are allowable. Hence, Applicants respectfully request allowance and passage to issue of the claims in the application.

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Respectfully Submitted

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(VIII)

Claims Appendix

1. (Previously presented) A method of displaying a document having at least one section that is to be highlighted based on an intended user comprising the steps of:

displaying the document;

displaying at least one button with the document, the at least one button being associated with the at least one section of the document and indicating the intended user; and

highlighting the at least one section of the document when the at least one button is asserted.

2. (Original) The method of Claim 1 wherein highlighting the section entails graying out the document except the section.
3. (Original) The method of Claim 1 wherein highlighting the section entails displaying the section in a different color.
4. (Previously presented) A computer program product on a computer readable medium for displaying a document having at least one section to be highlighted based on an intended user comprising:

code means for displaying the document;

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code means for displaying at least one button with the document, the at least one button being associated with the at least one section of the document and indicating the intended user; and

code means for highlighting the at least one section of the document when the at least one button is asserted.

5. (Original) The computer program product of Claim 4 wherein highlighting the section entails graying out the document except the section.
6. (Original) The computer program product of Claim 4 wherein highlighting the section entails displaying the section in a different color.
7. (Previously presented) An apparatus for displaying a document having at least one section to be highlighted based on an intended user comprising:

means for displaying the document;

means for displaying at least one button with the document, the at least one button being associated with the at least one section of the document and indicating the intended user; and

means for highlighting the at least one section of the document when the at least one button is asserted.

8. (Original) The apparatus of Claim 7 wherein highlighting the section entails graying out the document except the section.
9. (Original) The apparatus of Claim 7 wherein highlighting the section entails displaying the section in a different color.

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10. (Previously presented) A computer system for displaying a document having at least one section to be highlighted based on an intended user comprising:

at least one memory device for storing code data; and

at least one processor for processing the code data to display the document with at least one button, the at least one button being associated with the at least one section of the document and indicating the intended user, and to highlight the at least one section of the document when the at least one button is asserted.

11. (Original) The computer system of Claim 10 wherein highlighting the section entails graying out the document except the section.
12. (Original) The computer system of Claim 10 wherein highlighting the section entails displaying the section in a different color.
13. (Previously presented) The method of Claim 1 wherein the at least one section to be highlighted is within a pair of tags.
14. (Previously presented) The method of Claim 13 wherein when the at least one button is asserted, a string is sent to a search engine, the string indicating the tags for which the search engine is to search.
15. (Previously presented) The computer program product of Claim 4 wherein the at least one section to be highlighted is within a pair of tags.

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16. (Previously presented) The computer program product of Claim 15 wherein when the at least one button is asserted, a string is sent to a search engine, the string indicating the tags for which the search engine is to search.
17. (Previously presented) The apparatus of Claim 7 wherein the at least one section to be highlighted is within a pair of tags.
18. (Previously presented) The apparatus of Claim 17 wherein when the at least one button is asserted, a string is sent to a search engine, the string indicating the tags for which the search engine is to search.
19. (Previously presented) The computer system of Claim 10 wherein the at least one section to be highlighted is within a pair of tags.
20. (Previously presented) The computer system of Claim 19 wherein when the at least one button is asserted, a string is sent to a search engine, the string indicating the tags for which the search engine is to search.

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(ix)

Evidence Appendix

No evidence was submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 and 1.132 nor was there any evidence entered by the Examiner relied upon by Appellants in this appeal.

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(x)

Related Proceedings Appendix

There are no decisions rendered by a court or the Board that would have a bearing on the Board's decision in the pending appeal.

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